



PATENT
Atty. Docket No. 2750-1237P
Client Docket No. 80146.003
Application No. 09/689,980

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: Sequence-Determined DNA Fragments and Corresponding Polypeptides Encoded Thereby

the specification of which (check one) ☐ is attached hereto ☒ was filed on 10/13/00 as Application Serial No. 09/689,980, and was amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
Number	Country	Day/Month/Year Filed	<u>Yes</u>	<u>No</u>

I hereby claim the benefit under Title 35, United States Code, §120 and/or §119(e) of any United States application(s) and/or provisional applications listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application		Status
<u>Serial No.</u>	<u>Filing Date</u>	<u>Patented, Pending, Abandoned</u>
60/159,331	10/14/99	Pending

I hereby declare that all statements herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

PATENT

Atty. Docket No. 2750-1237P

Client Docket No. 80146.003

Application No. 09/689,980

Full name of sole or first inventor Nickolai ALEXANDROV

Inventor's signature N. Alexandrov Date 12/19/00

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Citizenship Russia

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Full name of second inventor Vyacheslav BROVER

Inventor's signature [Signature] Date 12/13/2000

Residence Calabasas, CA USA

Citizenship Russia

Post Office Address 5916 N. Las Virgenes Road #590, Calabasas, CA 91302 USA



PATENT
Attorney Docket No. 2750-1237P
Client Docket No. 80146.003
Application No. 09/689,980

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Nickolai ALEXANDROV et al.

Serial No.: 09/689,980

Group Art: Unassigned

Filed: 10/13/00

Examiner: Unassigned

For: SEQUENCE-DETERMINED DNA FRAGMENTS AND CORRESPONDING
POLYPEPTIDES ENCODED THEREBY

POWER OF ATTORNEY

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. § 1.36, Ceres, Incorporated, the Assignee of the above-identified patent application hereby appoints the following attorneys and agents to prosecute this application and to transact all business in the Patent and Trademark Office in connection therewith.

Ling-Fong Chung – Reg. No. 36,482
Raymond C. Stewart – Reg. No. 21,066
Joseph A. Kolasch – Reg. No. 22,463
Bernard L. Sweeney – Reg. No. 24,448
Charles Gorenstein – Reg. No. 29,271
Leonard R. Svensson – Reg. No. 30,330
Andrew D. Meikle – Reg. No. 32,868
Joe McKinney Muncy – Reg. No. 32,334
John W. Bailey – Reg. No. 32,881

Terrell C. Birch – Reg. No. 19,382
James M. Slattery – Reg. No. 28,380
Michael K. Mutter – Reg. No. 29,680
Gerald M. Murphy, Jr. – Reg. No. 28,977
Terry L. Clark – Reg. No. 32,644
Marc S. Weiner – Reg. No. 32,181
Donald J. Daley – Reg. No. 34,313
John A. Castellano – Reg. No. 35,094
Mark Nuell – Reg. No. 36,623

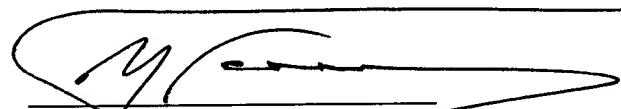
Please direct all correspondence and telephone calls regarding this application to the following:

Birch, Stewart, Kolasch & Birch, LLP or Customer No. 2292
P.O. Box 747, Falls Church, Virginia 22040-0747
Telephone: (703) 205-8000 · Fax (703) 205-8050

CERES, INCORPORATED

Dated: December 15, 2000

By:


Mark A. Vaeck
Chief Operating Officer

STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.9(g)) - SMALL BUSINESS CONCERN

Patent Number: 2750-1237P

Applicant, Patentee, or Identifier: N. ALEXANDROV et al.

Application or Patent No.: NEW Patent Application

Filed or Issued: October 13, 2000

Title: SEQUENCE-DETERMINED DNA FRAGMENTS AND CORRESPONDING POLYPEPTIDES ENCODED THEREBY

I hereby state that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN CERES, INC.

ADDRESS OF SMALL BUSINESS CONCERN 3007 Malibu Canyon Road Malibu, CA 90265

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 37 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☒ the specification filed herewith with title as listed above.
☐ the application identified above.
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

- ☒ no such person, concern, or organization exists.
☐ each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern, or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is not longer appropriate. (37 CFR 1.28(b))

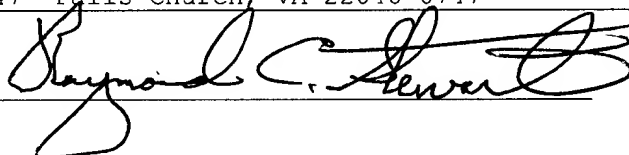
NAME OF PERSON SIGNING Raymond C. Stewart (Reg. No. 21,066)

TITLE IN ORGANIZATION OF PERSON SIGNING Legal Representative of CERES, INC.

ADDRESS OF PERSON SIGNING Birch, Stewart, Kolasch and Birch, LLP.

P.O. Box 747 Falls Church, VA 22040-0747

SIGNATURE



DATE October 13, 2000